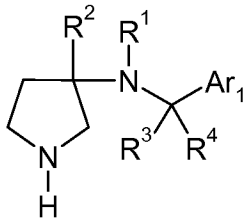
The Examiner submitted the following groups of inventions in the Office Action dated May 2, 2008:

Group I, claim 1 in part, 2-21 and 24-25, drawn to a compound of formula



(I) and

pharmaceutical composition wherein Ar_1 is phenyl [which is optionally substituted], a singly disclosed species is required.

Group II, claim 1 in part, 2-20 and 25, drawn to a compound of formula I and pharmaceutical composition wherein Ar_1 is pyrazolyl, a singly disclosed species is required.

Group III, claim 1 in part, 2-20 and 22-25, drawn to a compound of formula I and pharmaceutical composition wherein Ar_1 is pyridinyl, a singly disclosed species is required.

Group IV, claim 1 in part and, 24-25, drawn to a compound of formula I and pharmaceutical composition wherein Ar_1 is pyrrolidinyl.

Group V, claim(s) 26-32 and 34-36, drawn to a method of treating disorders associated with dysfunction of the uptake of one or more monoamines.

Group VI, claim(s) 33, drawn to a pharmaceutical composition which comprises a first component that is an antipsychotic and a second component that is a compound of formula 1.

The present application is an international application which has entered the U.S. national stage under 35 U.S.C. §371. Restriction is therefore governed by unity of invention. MPEP 1893.03(d). Unity of invention is discussed in 37 CFR 1.475(b), which states:

> (b) An international or a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories:
>
> > (1) A product and a process specially adapted for the manufacture of said product; or

(2) A product and process of use of said product; or

(3) A product, a process specially adapted for the manufacture of the said product, and a use of the said product; or

(4) A process and an apparatus or means specifically designed for carrying out the said process; or

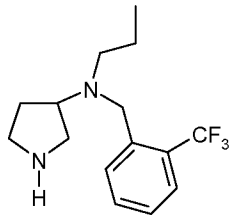
(5) A product, a process specially adapted for the manufacture of the said product, and an apparatus or means specifically designed for carrying out the said process.

In an effort to advance prosecution, Applicants have limited Claims 1-3 to encompass compounds wherein Ar_1 is phenyl which is optionally substituted. Applicants assert that Claims 1-4, 8, 10-11, 13-14, 16-19, 24, and 29, as amended, are appropriately considered one invention. Applicants direct the Examiner's attention to PCT Annex B, Part 1(*l*), which refers to particular examples giving guidance on how unity of invention principles may be interpreted in the PCT International Search and Preliminary Examination Guidelines (PCT ISPE Guidelines). Specifically, Applicants direct the Examiner's attention to PCT ISPE Guidelines, Part III, Chapter 10, Paragraph 10.21 on page 80, a copy of which is provided for the Examiner's convenience. This section of the cited reference provides examples concerning unity of invention under Rule 13.1/13.2. Example 1 clearly states that unity of invention exists between a claim to a method of manufacturing chemical "substance X", a claim to "substance X" and a claim to the use of "substance X" because these claims possess a common special technical feature, i.e., "substance X". This is the same scenario presented by Applicants' Claims 1-4, 8, 10-11, 13-14, 16-19, 24 and 29 which claim compounds of the present invention (Claims 1-4, 8, 10-11, 13-14, 16-19), a pharmaceutical composition containing compounds of the present invention (Claim 24), as well as a method of using compounds of the present invention (Claim 29). As such, under Rule 13.2, there is unity of invention and the claims must be examined together.

The Examiner also noted that Applicants are required to elect a single disorder in Claim 29, however the Applicants note that Claim 29 was limited to a single disorder *i.e.* treating attention-deficit hyperactivity disorder (ADHD) in the Preliminary Amended (see File History).

In view of these points, the pending claims, Claims 1-4, 8, 10-11, 13-14, 16-19, 24 and 29, meet the criteria of unity of invention under Rules 13.1/13.2. Applicants respectfully request that the restriction requirement be withdrawn from the present application.

In the event that the Examiner does not withdraw the restriction requirement, Applicants elect Group I with traverse in view of the above-stated arguments, and select the following species for examination, the *S* enantiomer of which is exemplified in Example 38 on page 74 of the specification: *N*-propyl-*N*-{[2-(trifluoromethyl)phenyl]methyl}-pyrrolidin-3-amine, pictured immediately below.



In addition, applicants reserve the right to file a divisional application on the non-elected subject matter under 35 U.S.C. § 121.

Priority

Applicants respectfully request acknowledgment of foreign priority and receipt of the foreign priority documents. This is the national phase application, under 35 U.S.C 371, for PCT/US2004/013004, filed 11 May 2004, which claims the benefit of GB application 0313463.2, filed 11 June 2003, US provisional application 60/510,867, filed 14 October 2003, US provisional application 60/524,450, filed 24 November 2003, and US provisional application 60/524,781, filed 25 November 2003, See File History. Thus applicants are entitled to claim the benefit of priority of the above-referenced applications.

Applicants respectfully request entry of the amendments described above and reconsideration and allowance of the pending claims in view of the above arguments. Finally applicants request acknowledgment of foreign priority. The Examiner is invited to contact the undersigned attorney should any questions arise as a result of the submission provided herein, or in the event any question arise at any point during examination.

Respectfully submitted,

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Encl.: PCT ISPE Guidelines, pg. 80

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between an intermediate of unknown structure and a final product of unknown structure. In order to satisfy unity in such cases, there must be sufficient evidence to lead one to conclude that the intermediate and final products are technically closely interrelated as, for example, when the intermediate contains the same essential element as the final product or incorporates an essential element into the final product.

(d) It is possible in a single international application to accept different intermediate products used in different processes for the preparation of the final product, provided that they have the same essential structural element.

(e) The intermediate and final products must not be separated, in the process leading from one to the other, by an intermediate that is not new.

(f) If the same international application claims different intermediates for different structural parts of the final product, unity is not regarded as being present between the intermediates.

(g) If the intermediate and final products are families of compounds, each intermediate compound must correspond to a compound claimed in the family of the final products. However, some of the final products may have no corresponding compound in the family of the intermediate products so that the two families need not be absolutely congruent.

AI Annex B, Part 1(h)

10.19 As long as unity of invention can be recognized applying the above interpretations, the fact that, besides the ability to be used to produce final products, the intermediates also exhibit other possible effects or activities should not affect the decision on unity of invention.

Examples Concerning Unity of Invention

10.20 The application of the principles of unity of invention is illustrated by the following examples for guidance in particular cases.

Claims in Different Categories

10.21 *Example 1*

Claim 1: A method of manufacturing chemical substance X.

Claim 2: Substance X.

Claim 3: The (method of) use of substance X as an insecticide.

Unity exists between claims 1, 2 and 3. The special technical feature common to all the claims is substance X. However, if substance X is known in the art, unity would be lacking because there would not be a special technical feature common to all the claims.

10.22 *Example 2*

Claim 1: A process of manufacture comprising steps A and B.

Claim 2: Apparatus specifically designed for carrying out step A.

Claim 3: Apparatus specifically designed for carrying out step B.

Unity exists between claims 1 and 2 or between claims 1 and 3. There is no unity between claims 2 and 3 since there exists no common special technical feature between the two claims.

10.23 *Example 3*

Claim 1: A process for painting an article in which the paint contains a new rust inhibiting substance X including the steps of atomizing the paint using